

Criminal Misc. M- No. 16565 of 2016 (O&M)

Date of decision : June 07, 2016

Deepak

.....Petitioner

Versus

State of Haryana

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILLPresent: Mr. Sarfaraj Hussain, Advocate
for the petitioner.

Mr. Anmol Malik, AAG, Haryana.

LISA GILL, J.

The petitioner prays for bail pending trial in FIR No. 2 dated 01.01.2016 registered under Sections 379, 34 IPC at Police Station Kherki Daula, District Gurgaon.

It is submitted that co-accused Monu and Uttam Dagar have been afforded the concession of bail by this Court on 09.05.2016 in CRM -M No. 14783 of 2016 and on 30.05.2016 in CRM-M No. 16790 of 2016, respectively. The petitioner is alleged to be involved in snatching of the truck from the complainant Mahesh Singh. However, Mahesh Singh while deposing before the trial Court has not supported the prosecution case and has testified that the petitioner is not one of the persons who was involved in snatching of the truck. His statement is attached as Annexure P-2 with this petition.

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Learned counsel for the State, on instructions from SI Devender Singh, verifies the factum of the complainant Mahesh Singh not supporting the case of the prosecution.

Keeping in view the above as well as the factum of the petitioner being in custody since 01.01.2016 as well as the grant of bail to the co-accused, further incarceration of the petitioner is not called for.

Thus, in view of the facts and circumstances but without expressing any opinion on the merits of the controversy, it is considered just and expedient to allow this petition.

Consequently, the petitioner shall be released on bail pending trial subject to his furnishing requisite bail bonds and surety bonds to the satisfaction of learned trial Court.

June 07, 2016
rts

(Lisa Gill)
Judge